

Application No. 10/708,528
Amendment dated December 30, 2005
Reply to Office Action of October 3, 2005

REMARKS

This amendment is submitted in response to the Office Action mailed October 3, 2005. Claims 1-15 remain pending in the application prior to this amendment. Claims 1-3, 6-8, 13 and 14 stand rejected. Claims 4, 5, 9-12 and 15 were withdrawn from consideration in view of a restriction requirement. Claims 1, 3, 7, 8, 13 and 14 are amended and new claims 16-18 have been added. Claims 2, 4, 5, 9-12 and 15 are canceled herein without prejudice. Applicants assert that the amended claims are in complete condition for allowance and respectfully request reconsideration in view of following remarks.

Claims Rejected Under 35 U.S.C. §102

Claims 1-3, 7, 8, 13, and 14 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,350,383 to Kikuta. Claims 1, 7 and 13 are the only independent claims of this rejected group. Claim 1 is directed to an automotive instrument panel including a pliable cover layer disposed on a substrate member. Claim 1 has been amended to recite that the cover layer includes free ends extending outwardly from lateral end portions of the substrate member to define respective flexible flanges that are cantilevered from the substrate member. Claim 7 is directed to an automotive interior trim assembly including an instrument panel, and claim 13 is directed to a method of finishing an interior of an automobile including installing an instrument panel. Claims 7 and 13 have been amended to recite language similar to amended claim 1. Support for these amendment can be found in

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the Application at numbered paragraph 0014, and with reference to FIGS. 2A-2C.

Accordingly, no new matter has been added by the amendments to claims 1, 7 and 13.

Applicants assert that the amendments to claims 1, 7 and 13 overcome the rejections over Kikuta '383 because Kikuta '383 does not teach or suggest each and every element recited in the amended claims. Specifically, Kikuta '383 does not teach or suggest an instrument panel having a cover layer that "includes free ends extending outwardly from said lateral end portions of said substrate member to define respective flexible flanges cantilevered from said substrate member," as recited in claim 1. Likewise, Kikuta '383 does not teach or suggest these features as recited in amended claims 7 and 13. Rather, Kikuta '383 discloses an instrument board 14 having an instrument panel pad 16 that closely follows the contour of the instrument board 14 and does not have free ends extending outwardly from the instrument board. For at least these reasons, Applicants respectfully request that the rejections of claims 1, 7 and 13 be withdrawn.

Claims 3, 8 and 14 depend from amended claims 1, 7 and 13, respectively. Accordingly, Applicants assert that claims 3, 8 and 14 are in condition for allowance for at least the same reasons stated above for claims 1, 7 and 13, and Applicants respectfully request that the rejections of these claims over Kikuta '383 be withdrawn.

Claims Rejected Under 35 U.S.C. §103

Claim 6 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Kikuta '383 in view of U.S. Patent No. 5,294,164 to Shimabara et al. Claim 6 depends

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from independent claim 1 and is therefore in condition for allowance for at least the reasons stated above for amended claim 1. Specifically, Kikuta '383 does not teach or suggest an instrument panel having a cover layer that includes free ends extending outwardly from lateral end portions of the substrate member to define respective flexible flanges that are cantilevered from the substrate member, as discussed above. Shimabara '164 is directed to an instrument panel mounting structure that is configured to eliminate a gap between the instrument panel and the front pillars of an automobile. Shimabara '164 does not teach or suggest a modification of Kikuta '383 that results in the claimed invention. Accordingly, Applicants respectfully request that the rejection of claim 6 over Kikuta '383 in view of Shimabara '164 be withdrawn.

New Claims

New claims 16-18 have been added by this amendment. Claim 16 depends from amended claim 1 and recites that the flexible flanges have angled distal ends for engaging the door panels. Claim 17 depends from claim 16 and recites that the distal ends are angled such that the door panels contact side surfaces of the flanges. Claim 18 also depends from claim 16 and recites that the distal ends are angled such that the door panels contact end edges of the flanges. Support for claims 16-18 can be found in the application as filed, with reference to numbered paragraphs 0014 and 0016, and FIGS. 2A-2B. Accordingly, Applicants assert that no new matter has been added by new claims 16-18. Applicants further assert that claims 16-18 are not taught or suggested by the references of record and respectfully request favorable examination of these claims.

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Conclusion

In view of the foregoing amendments to the claims and the remarks set forth herein, Applicants believe this case is in condition for allowance, and respectfully request allowance of the pending claims. If the Examiner believes any issue requires further discussion, the Examiner is respectfully asked to telephone the undersigned attorney so that the matter maybe promptly resolved. The Examiner's prompt attention to this matter is appreciated.

Applicants are of the opinion that no additional fee is due as a result of this amendment. If any charges or credits are necessary to complete this communication, please apply them to Deposit Account No. 23-3000.

Respectfully submitted,

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